

STROOCK

VIA ECF

January 14, 2016

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Hon. Paul G. Gardephe
United States District Judge
United States District Court
Southern District of New York
40 Foley Square, Room 2204
New York, New York 10007

Re: Western Union Financial Services, Inc. v. Metropolitan Check Cashing, Inc.,
et al., No. 15-cv-8177(PGG)

Your Honor:

We represent the National Credit Union Administration Board (the “NCUA Board”), as Conservator of defendant Bethex Federal Credit Union. I write to request an adjournment of the Pretrial Conference currently scheduled for January 21, 2016.

By way of background, the NCUA Board has moved for reconsideration of the state court’s decision denying Bethex’s motion to dismiss the complaint and cross-claims against it. The motion for reconsideration will, if successful, fully dispose of this action. In accordance with the briefing schedule so ordered by the Court on January 11, 2016, the motion will be fully briefed on February 11, 2016. Dkt. 19.

In light of the pending motion for reconsideration and its potential to dispose of this case, on December 7, 2015, we asked the Court to extend the time to answer the Complaint until after the motion is decided (Dkt. No. 15) and on December 16, 2015, the Court granted the application. Dkt. 17.

For the same reasons, we respectfully request that the conference be adjourned until after the motion for reconsideration is decided, if necessary. Counsel for all parties have consented to the request.

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Respectfully,

/s/
Bruce H. Schneider

cc: All Counsel (by ECF and email)